

## EASTERN DIVISION

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Daniel M. Harris Anthony P. Valach THE LAW OFFICES OF DANIEL HARRIS 150 North Wacker Drive Suite 3000 Chicago, IL 60606	Craig A. Varga Jonathan N. Ledsky Scott J. Helfand VARGA BERGER LEDSKY HAYES & CASEY A Professional Corporation 224 South Michigan Ave – Suite 350 Chicago, IL 60604
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**2. The basis of federal jurisdiction:**

This court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331, 1337 and 1367, as well as 15 U.S.C. § 1601, *et seq.*

**3. Nature of the claims asserted in the complaint:**

Plaintiffs has filed this action alleging violations of the Truth in Lending Act (“TILA”) and state consumer protection laws. Plaintiffs assert generally that Ameriquest provided them with incomplete disclosures and/or failed to provide the disclosures to plaintiffs prior to closing plaintiffs' loan. Plaintiffs also assert that defendants engaged in deceptive and unfair business practices.

**4. Status of Service:**

Five defendants have filed appearances. Deutsche Bank National Trust Company filed an appearance as Deutsche Bank National Trust Compnay, as Trustee for Ameriquest Mortgage Securities, Inc. Asset Backed Pass-Through Certificates, Series 2005-R7

**5. Principal Legal Issues:**

The major legal issue in this case is whether Ameriquest provided plaintiffs with the proper disclosures under TILA and Regulation Z and whether or not defendants violated state consumer protection laws.

**6. Principal Factual Issues:**

The principal factual issue in this case is whether Ameriquest provided plaintiffs with the proper disclosures under TILA and Regulation Z and the events surrounding the closing of the loan.

**7. Plaintiffs have requested a jury trial.**

**8. Discovery:**

Discovery has not been commenced by either party and the parties anticipate that the discovery schedule will be addressed when the case is transferred to the Ameriquest MDL proceedings before Judge Aspen.

**9. Trial Date & Length of Trial:**

Parties anticipate that this case will be reassigned to Judge Aspen, who is currently presiding over the Ameriquest MDL and therefore will address the issue of trial with Judge Aspen.

**10. Consent to proceed before Magistrate Judge:**

Parties anticipate that this case will be reassigned to Judge Aspen, who is currently presiding over the Ameriquest MDL and therefore will address the issue of proceeding before the Magistrate Judge with Judge Aspen.

**11. Status of settlement discussion:**

There have been no meaningful settlement discussions between parties at this time.

Dated: July 2, 2008

Respectfully submitted,

**PEDRO & CELIA BANUELOS  
TRAYVASS & MICHELLE GALLANT**

**AMERIQUEST MORTGAGE COMPANY,  
AMERIQUEST CAPITAL CORPORATION,  
ACC CAPITAL HOLDINGS, INC.,  
AMERIQUEST MORTGAGE SECURITIES,  
INC., AND DECUTSCHE BANK NATIONAL  
TRUST COMPANY, AS TRUSTEE FOR  
AMERIQUEST MORTGAGE SECURITIES,  
INC. ASSET BACKED PASS-THROUGH  
CERTIFICATES, SERIES 2005-R7**

/s/ Anthony P. Valach, Jr.

Daniel M. Harris  
Anthony P. Valach  
THE LAW OFFICES OF DANIEL HARRIS  
150 North Wacker Drive  
Suite 3000  
Chicago, IL 60606  
Phone: (312) 960-1803  
Fax: (312)960-1936

/s/ Jonathan N. Ledsky

Craig A. Varga  
Jonathan N. Ledsky  
Scott J. Helfand  
VARGA BERGER LEDSKY HAYES & CASEY  
A Professional Corporation  
224 South Michigan Ave – Suite 350  
Chicago, IL 60604  
Phone: (312) 341-9400

**CERTIFICATE OF SERVICE**

I, Anthony P. Valach, Jr., hereby certify that on this 2nd day of July 2008, a true and correct copy of the foregoing document was filed electronically. Notice of this filing will be sent by electronic mail to all counsel of record by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

By: /s/ Anthony P. Valach, Jr.